

## Remarks

### Correction of the spelling of the inventor's name

As indicated in the papers which accompanied both this application and its parent, 09/529,939 (now U.S. Patent 6,735,598), the correct spelling of the inventor's last name is

5 "Srivastava". Please correct the USPTO records accordingly.

### The amendment to the Abstract

The *Abstract* as amended is no more than 150 words in length.

### 10 Traversal of the rejections under 35 U.S.C. 102

*What Applicant is claiming*

Applicant's claim 1 is exemplary for what Applicant is claiming:

1       **1.** A method of initiating a connection via a network for a streaming  
 2       data item between a client for the streaming data item and a streaming  
 3       data item server for the streaming data item, the client and the  
 4       streaming data item server being accessible to each other via the  
 5       network and the method comprising the steps performed in a search  
 6       server that is accessible to the client and the streaming server via the  
 7       network of:  
 8               receiving a specification of the streaming data item from the  
 9       client via the network;  
 10          using the specification to make a query on a database system  
 11       that is accessible to the search server, the query returning a first  
 12       identifier that identifies the streaming data item; and  
 13          providing the first identifier and a second identifier *to the*  
 14       *streaming data item server*, the second identifier identifying the client  
 15       and the first identifier and *the second identifier being usable by the*  
 16       *streaming data item server to establish the connection.*

The claim recites Applicant's "method of initiating a connection via a network for a streaming data item between a client for the streaming data item and a streaming data item server for the streaming data item" from the point of view of a "search server that is accessible to the client

20 and the streaming server via the network". For the present discussion, the salient aspect of the claim is the emphasized portions of the last clause of the claim. The search server has access to a database system, and as set forth in the claim, it receives a specification of the streaming data item from the client, uses the specification in a query to obtain a first identifier that identifies the streaming data item, and then, instead of either simply returning the first identifier to the client,

25 so that the client can establish a connection to the streaming data item server and thereby obtain

the streaming data item, or attempting to provide the streaming data item via the database system, it provides the first identifier and a second identifier that identifies the client to the streaming data item server, which then can use the first and second identifiers to establish the connection between the streaming data item server and the client. As summarized at page 24, lines 5-8 of Applicant's Specification, "having initiated the establishment of a connection between streaming data server 1019(i) and system 1005, DBMS search server 1007 "steps aside" and thereby avoids the necessity of running the streaming data connection through DBMS system 1009".

A preferred embodiment of the invention is shown in FIG. 10 and described at page 21, line 29 through page 24, line 8. As set forth in the claim, system 1005 interacts with DBMS search server 1007 to find a streaming data item of interest (arrow 1023). Server 1007 then interacts with streaming data server 1019(a) that contains the streaming data item to provide streaming data server 1019(a) with an identifier for the streaming data item and an identifier for the system of the user of the streaming data 1005 (arrow 1015) and streaming data server 1019(a) then uses the identifier for system 1005 and the identifier for the streaming data item to establish a connection for system 1005 to the streaming data item (arrow 1027). As stated above, DBMS search server 1007 "steps aside" and provides server 1019(a) with the information it needs to establish a connection for the streaming data item with system 1005.

### **The disclosure of Levy**

Levy's disclosure is well-summarized in his *Abstract* and FIG. 1. The *Abstract* reads as follows:

A system and method for accepting and responding to queries based on information stored on multiple heterogenous information sources. A uniform query interface to large collections of structured information sources is provided to a user to pose queries using a uniform schema of the available information. A query plan for answering the query is formulated from descriptions of the contents and capabilities of the available information sources. Based on these descriptions logical solutions which are subsets of the complete solution to the query are derived. An order for executing these solutions is determined based on the input requirements and other capabilities of the relevant information sources.

As set forth in the first sentence of the *Abstract*, the problem addressed by Levy is providing a uniform query interface which permits the use of a single query to retrieve information from differently-structured sources of structured information. Referring to Levy's FIG. 1, the uniform query interface is shown at 101, 102, 103, 111, 112, 113, 114, and 115. The differently-

structured information sources are shown at 140; the Internet-based interfaces to the information sources are shown at 130. The problem is solved by defining the single query in terms of world view 102 and then using query plan generator 114 to generate a plan for answering the query using a set of queries to the information sources 140, with each of the queries in the set having the form required for the information source it is being applied to. As is clearly shown in FIG. 1, all of the information received in response to the queries is returned to user interface 101 via execution engine 115; there is no return of information directly from an information source 140 to user interface 101. It should further be pointed out here that none of Levy's information sources returns streaming data.

#### **The rejections under 35 U.S.C. 102**

The whole purpose of Applicants' method of claim 1 is, as pointed out above and shown in Applicant's FIG. 10, to establish a direct connection 1027 between a streaming data item server 1019 and system 1005. Because Levy's system does not establish a direct connection from any of its information sources to user interface 101 and does not disclose an information source that provides streaming data, it cannot and does not disclose claim 1's step of

*providing the first identifier and a second identifier to the streaming data item server, the second identifier identifying the client and the first identifier and the second identifier being usable by the streaming data item server to establish the connection.*

In his rejection, Examiner refers Applicant to col. 4, lines 25-34; the cited location, however, merely describes FIG. 1, which, as just set forth, does not disclose the claimed method step.

Because Levy does not disclose all of the limitations of Applicant's method of claim 1, it does not anticipate the reference cannot serve as the basis of a rejection of that claim under 35 U.S.C. 102. As Examiner will immediately see, the arguments made above with regard to claim 1 apply also to claims 1, 5, 9, 11, 15, 17, 19, 23, and 25. These claims include all of the independent claims in the application; consequently, all of the dependent claims are patentable over Levy as well.

Dependent claims 3, 7, 13, and 21 however, include additional limitations not disclosed in Levy and are consequently patentable in their own rights over the reference. The added limitations in

all of these claims further describe how an "object relational database system" returns an identifier for the streaming data item:

the database system is an object relational database system that includes a table containing an object that represents the streaming data item,  
an open method for the object is defined in the database system, the open method returning the first identifier; and  
the database system responds to the query by executing the open method and returning the first identifier.

The only disclosure in Levy concerning object relational database systems are the labels in FIG. 1 that indicates that the structured information sources 140 may include a relational database or an object-oriented database. There is simply no disclosure whatever of how such a relational database or object oriented database may be used to return an identifier for a streaming data item.

#### **The rejections under 35 U.S.C. 103**

Moreover, because Levy does not anticipate any of claims 1,3,5,7, 9,11,13,15,17,19,21,23,25, or 27, the combination of Levy with official notice cannot disclose all of the limitations of claims 2,4,6,8,10,12,14,16,18,20,22,24,26, or 28. That being the case, Examiner has not made the *prima facie* case required by MPEP 2142 for a rejection of a claim under 35 U.S.C. 103 with regard to these claims and these claims, too, are patentable over Levy and official notice.

**Conclusion**

Applicant has shortened his *Abstract* so that it is no more than 150 words in length and has traversed all of Examiner's rejections of his claims. Applicant has thereby been completely responsive to Examiner's Office action of 9/11/2006 as required by 37 C.F.R. 1.111(b) and respectfully requests that Examiner continue his examination, as provided by 37 C.F.R. 1.111(a). As Applicant's attorney indicated to Examiner in a telephone conversation on 6/12/2006, Applicant's attorney respectfully requests that Examiner call Applicant's attorney at 978-948-7632 to set up an interview if Examiner disagrees with the conclusions drawn by this response or has any other questions regarding it. No additional fees are believed to be required for this response; should any be, please charge them to deposit account number 501315.

Respectfully submitted,

/Gordon E. Nelson/  
Attorney of record,  
Gordon E. Nelson  
57 Central St., P.O. Box 782  
Rowley, MA, 01969,  
Registration number 30,093  
Voice: (978) 948-7632  
Fax: (866) 723-0359  
12/8/2006  
Date